



MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
OF MONDAY, APRIL 1, 2013
AT 200 HIGHLANDS BOULEVARD DRIVE

1. CALL TO ORDER

Mayor David L. Willson called the Regular Board of Aldermen meeting to order at 7:00 p.m. Members of Boy Scout Troop 787 displayed the flags and led the Pledge of Allegiance.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were: Alderman Clement, Alderman Stevens, Alderman Hamill, Alderman Ottenad, Alderman Schrader, Alderman Diehl, Mayor Willson and Attorney Gunn. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the March 18, 2013 Regular Board of Aldermen meeting

Alderman Clement made the motion to approve the Minutes of the March 18, 2013 Regular Board of Aldermen meeting. The motion was seconded by Alderman Schrader and carried unanimously, without objection.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Hamill made the motion to approve the Order of Items on the Agenda. The motion was seconded by Alderman Clement and carried unanimously, without objection.

5. CONSIDERATION OF PETITIONS AND COMMENTS FROM THE PUBLIC

a. Comments from the Public

Ms. Roberta Everson, 610 Connie Lane, stated that normally there are people knocking on doors prior to Election Day, but this year she is perplexed and disappointed that no candidates have come and they also have not seen the candidates or read anything about the candidates.

Mrs. Laura Burge, 763 LaFeil, spoke about the proposed project to destroy twenty or more of the 45 year old trees in their backyard. She asked if everyone in Manchester who has common ground behind them has the right to say what happens behind them or if their trustees can turn over their rights. Ms. Burge expressed her concern that the City wants to go through with the project in an area that is thriving with birds and animals. Ms. Burge asked if a deterrent or poison has been sprayed on the common ground, because they have had no mammals there, except for squirrels, for months.

Ms. Burge said that Manchester is seeking a ten-year permit to be able to do stormwater projects all over Manchester. She said she has a petition on line which has more than 80 signatures right now. Ms. Burge stated that people have written passionately, people from St. Louis, Des Peres, and other areas; these are people who are passionate that once an ecosystem is disturbed, it cannot ever be as it was before. Ms. Burge stated that this area is not the North Channel B stormwater project; it is the LaFeil, Mautenne and LeManns Drive Project.

6. REPORTS FROM THE MAYOR

a. Proclamation Presentation to Nick Geiser for a perfect ACT score

Mayor David L. Willson presented a Proclamation to Nick Geiser who attended St. Joseph Catholic School in Manchester and then graduated from St. Louis University High School and received a perfect score on the ACT test.

b. Mayoral Report

Mayor Willson reported that on March 20th he participated in the Mayors for Meals, which is sponsored by the Mideast Area Agency on Aging, and he delivered 12 meals to people confined to their homes.

Mayor Willson reported on the March 22nd Adult Easter Egg Hunt at Schroeder Park with 220 people in attendance; he said they all had good time. Manchester partners with Ballwin and Ellisville in this event.

On March 27, City Administrator Andy Hixson, Director of Finance Dave Tuberty and Mayor Willson attended the Chamber of Commerce general meeting.

Mayor Willson advised that there are 11 of 13 lots sold in the new subdivision, the Arbors at Hanna.

Mayor Willson announced that today is the 37th anniversary of Attorney Patrick Gunn with the City of Manchester.

The Mayor reminded everyone to vote tomorrow.

7. REPORTS FROM THE CITY ADMINISTRATOR

- a. List of Paid Bills (Warrant dates of March 15 – March 28, 2013)

There were no questions.

- b. Updates

City Administrator Andy Hixson stated he is meeting with engineering firms to consider contracts for the City's engineering needs. He then gave an update on projects ongoing when City Engineer Blattner left the City.

City Administrator Hixson discussed the Missouri Water Company waterline replacement project along Manchester Road which will be undertaken shortly.

City Administrator Hixson discussed the English Soccer League coming to Busch Stadium. Since it involves Manchester City playing Chelsea, he thinks the City of Manchester should do something with this. Staff has been trying to contact the equivalent of a Mayor and the Constable which is equivalent of the Chief of Police. Alderman Diehl supplied some information since he has been there, and he offered to try to get some people to contact.

8. REPORTS FROM COMMITTEES

- a. Planning and Zoning Commission

Alderman Clement advised that they did meet on March 25 and had three cases. One case involved consolidation of ten lots in Ward One which the Commission approved, another was a boundary adjustment in Baxter Acres which is on tonight's Agenda, and a text amendment was discussed.

- b. Historic Review Commission

Alderman Diehl advised that they met this evening and discussed logistics of building a website for historic buildings. Also, the Commission talked about assembling information from older residents. He said the Commission also discussed the necessity of more community awareness in regard to the Historic Review Commission. The next meeting will be on May 6 at 5:15 p.m. at City Hall.

- c. Homecoming Committee

Alderman Ottenad advised that Homecoming Committee did not meet, but Alderman Schrader has some comments about the car show.

Alderman Schrader stated that his daughter and he handed out several hundred flyers this Easter weekend at the huge car show in Forest Park for the City's car show to be held during the annual Manchester Homecoming. He advised there are also huge car cruises in Fenton on the first Friday of each month from April 1 to October 1, and he plans to distribute more flyers at those events.

d. Manchester Arts Commission

Alderman Clement reminded attendees of the photography show called “Focus Manchester” which will be held on May 17-19 at Manchester United Methodist Church and there will be awards. He said they hope to bring a few of the top photos, the award winners, for display in the meeting room.

Alderman Clement advised that the other thing they have going on is the community band which has sparked a lot of interest. He said there will be three concerts this year, one during Homecoming, one will be over the Fathers’ Day/Flag Day weekend, and another on July 7. The concerts will all be at Schroeder Park.

Alderman Clement added that the Commission is moving along with the Arts Master Plan which may be brought before the Board in May.

9. ACTION ON OLD BILLS

a. There were none.

10. INTRODUCTION OF NEW BILLS

a. RESOLUTION AUTHORIZING REPLACEMENT OF TWO TRENCH DRAIN STRUCTURES – WHISPERING MEADOWS

Alderman Clement read proposed Resolution # 13-0439, entitled: “A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH KOZENY-WAGNER, INC. IN AN AMOUNT NOT TO EXCEED THIRTY-ONE THOUSAND SEVEN HUNDRED TEN DOLLARS (\$31,710.00), INCLUDING A FIVE PERCENT (5%) CHANGE ORDER IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED TEN DOLLARS (\$1,510.00) IN THE EVENT OF UNFORESEEN CONDITIONS, FOR REPLACEMENT OF TWO STREET TRENCH DRAIN STRUCTURES LOCATED AT 795 AND 833 WHISPERING MEADOWS DRIVE”, by title only.

Alderman Clement made the motion for approval of Resolution # 13-0439. The motion was seconded by Alderman Ottenad and carried unanimously, without objection.

b. RESOLUTION ACCEPTING BID FOR 2013 FIREWORKS DISPLAY

Alderman Ottenad read proposed Resolution # 13-0440, entitled: “A RESOLUTION ACCEPTING THE BID OF EXTREME PYROTECHNICS, LLC IN THE AMOUNT OF SEVENTEEN THOUSAND FOUR HUNDRED TWENTY-FIVE DOLLARS (\$17,425.00) FOR ALL LABOR, EQUIPMENT AND MATERIALS NECESSARY FOR THE 2013 FOURTH OF JULY FIREWORKS DISPLAY AND AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ISSUE A PURCHASE ORDER THEREFOR”, by title only.

Alderman Ottenad made the motion for approval of Resolution # 13-0440. The motion was seconded by Alderman Clement and carried unanimously, without objection.

c. **BILL AMENDING THE CODE OF ORDINANCES RELATING TO PROPERTY MAINTENANCE, TEMPORARY SAFEGUARDS, AND APPEALS HEARINGS**

Alderman Stevens introduced Bill # 13-2165, entitled: "AN ORDINANCE AMENDING SECTIONS 505.140, 505.150 AND 505.170 OF THE CODE OF ORDINANCES RELATING TO REMEDIES FOR NON-COMPLIANCE WITH THE PROVISIONS OF THE CODE RELATING TO PROPERTY MAINTENANCE, TEMPORARY SAFEGUARDS AND APPEALS HEARINGS", by title only.

Alderman Ottenad asked the reason for the changes and asked what the difference is from that contained in the current Code.

City Attorney Gunn explained the proposed changes to the current Code. He said if this is adopted, for a first violation, there is a 30-day warning notice, but for any subsequent violations, the individual could be issued a summons; no further notice would be required. He stated that another change was in reference to the Code indicating that the City is operating under the 2000 Property Maintenance Code, now the City is operating under the 2009 International Property Maintenance Code. He said the reason for doing this is because there are people who are repeatedly violating the Code, and a thirty-day notice is given each time. He said that after receiving one warning, they should know better, and this change would not entitle them to the continual 30-day notices.

No further action at this time.

d. **BILL APPROVING A BOUNDARY ADJUSTMENT FOR CERTAIN PROPERTY IN BAXTER ACRES SUBDIVISION**

Alderman Diehl introduced Bill # 13-2166, entitled: "AN ORDINANCE APPROVING THE BOUNDARY ADJUSTMENT PLAT OF PART OF LOTS 6 AND 7 OF THE BAXTER ACRES SUBDIVISION IN THE CITY OF MANCHESTER, MISSOURI, SUBJECT TO CERTAIN CONDITIONS", by title only.

No further action at this time.

11. **MISCELLANEOUS**

a. **Comments from the Public**

City Attorney Gunn stated that he wanted to emphasize that this section of the agenda is called "Comments from the Public", not "Cross Examination of the Mayor and Board of Aldermen by the Public". It is a chance for residents and others to come forward and offer their comments. He said he is regularly suggesting that this is not the time to catch someone off guard and expect answers. The fact that the Mayor and members of the Board don't jump in and start answering questions or someone believes they do not have an answer, it just means that this may not be the

proper forum.

12. EXECUTIVE SESSION

- a. Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Alderman Hamill made the motion to go into Closed Session: Pursuant to Section 610.021 (1) of the Revised Statutes of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. The motion was seconded by Alderman Clement.

A poll of the Board showed:

Alderman Clement – aye
Alderman Stevens – aye
Alderman Hamill – aye
Alderman Diehl – aye
Alderman Schrader – aye
Alderman Ottenad – aye

Mayor Willson announced the vote passed 6 to 0, with no objection.

13. ADJOURNMENT

At 8:50 p.m., after the Executive Session, there being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Schrader and carried unanimously, without objection. The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Ruth E. Baker, CMC/MRCC
City Clerk

Note: This is a journal of the Board of Aldermen meeting held April 1, 2013 (summary); not a verbatim transcript. If a recording of the meeting is desired, please contact City Hall.